

SAN FRANCISCO, Feb. 3.—Northern California: Cloudy this afternoon and tonight, probably showers in extreme north, cloudy Sunday, probably rain. San Francisco and vicinity: Cloudy tonight, probably showers Sunday; light northeast changing to SE wind.

THE TRIBUNE gives you the news. It is the only paper that can give you the best telegraphic service—The Associated Press Dispatches.

STORY OF THE CAUCUS.

Thomas R. Bard's Followers Made a Good Showing at Capital.

(Special to the Tribune.)
CAPITOL, SACRAMENTO, Feb. 3.—The political kaleidoscope has undergone a wondrous change during the past twenty-four hours. The stirring events of last night have put a completely new complexion upon the situation and it may be said that the curtain has gone down on the first of the two acts of the great Senatorial drama.

When it goes up again Tuesday the central figure will be Thomas R. Bard of Huemene, the man who received the fifty votes of the semi-caucus held last night. Those who thus declare for him are shouting that he is as good as elected Senator already, but there is a chill at their hearts meanwhile, for they know full well that they have an obstacle to overcome that may prove insurmountable.

Here is the situation in a nutshell. Bard has 52 votes that are absolutely certain to be polled for him when the roll is called next Tuesday, and probably one more—that of Senator Trout of Santa Cruz. It, however, takes sixty-one votes to elect, and if the balance, who are all Burns men to the backbone, refuse to vote for him, then where will he be? The Bard people are arguing that such a situation is impossible, for they insist that they could certainly get some votes away from Burns, but those who know anything of the calibre of the men who have been with the Colonel from first to last know that this is not the case. As long as Colonel Burns wants them to they will stand by their guns, and the only way to get them away is a release on his part.

As for getting enough Democratic votes to make up the deficiency that is out of the question. There is a possibility that some Democratic votes would have been polled for a Republican candidate if by so doing the election of Burns could have been prevented but with all clear sailing it stands to reason that the Democrats are not going to do this. It is to the interest of the Democrats to let the matter rest, for if there is any way of doing so, for then they would have a chance to capture the prize when the legislative issue comes before the people next fall. That they will not cut their own throats by their votes, electing a Republican and turning over to him the enormous patronage that goes with the Senatorship, is beyond all question and at the caucus they are to hold Monday evening a resolution will undoubtedly be adopted pledging all the members of the minority party not to vote for a Republican.

It can be seen therefore that there is a possibility that another deadlock will ensue, for with 52 votes being cast for Bard, 30 for Burns and three in his interests for some other candidate, the end will be as far away as ever. The only manner in which the session could terminate unless both branches of the Legislature agreed to adjourn sine die, would be for one house to adopt a resolution calling for adjournment on a certain date and the other to refuse to assent, thus creating a disagreement that would give the Governor the power to dissolve the Legislature at will.

However, it is scarcely thought likely that this extreme contingency will occur, for the temper of the Legislature is such that it may be considered a certainty that a Senator will be elected before the members go home. Just how the result will be brought about is not clear, but it will either be a compromise as regards a third candidate or else perhaps a satisfactory agreement with Bard as to the patronage, and so forth.

The criticism that is being launched at Col. Burns and his men for refusing to continue the caucus last night is not fair, as will be seen by the following statement of facts regarding the situation. When the agreement was made that forty-three votes should be required to make a selection, should such a vote be secured for any one candidate, all agreed to vote for him later on in the general caucus, and by that means have the controlling influence in that body. The thirty-seven individuals who signed the agreement pledging themselves not to vote for Burns therefore met under these conditions, and the necessary twenty-eight votes being cast for Bard, he was declared the choice of this sub-caucus.

With this solid vote of thirty-seven, therefore, those manipulating the scheme went into the regular anti-Burns caucus, and, of course, were able to capture it, too, the result being that when the hour arrived for the holding of the main Republican caucus of eighty-five, it was already under the control of those who were participating in the program.

Colonel Burns got wind of this and called his men together to discuss what action should be taken. It was palpably unfair that the twenty-eight men who had captured the first sub-caucus should be by that means enabled to swing the whole eighty-five votes that are being cast for him, and hence stayed away from the caucus altogether. They did not ignore it, though, for they sent a committee consisting of Dibble, Shortridge and Johnson to protest against the action of the caucus, the point raised being that, as less than sixty-one members were

present, there was no quorum and hence no business could be transacted.

When Senator Flint, the acting chairman, ruled the protest out of order, the Burns delegates withdrew, and a conference followed of all the Colonel's forces, the executive session lasting for about two hours. The decision reached was that the action of the members attending the caucus should be ignored, so, as far as the action taken by the fifty-two in favor of Bard is concerned, the Burns men do not consider that they are bound by it.

Great excitement reigned in the Capitol while all these troublous times were in progress, and the downstairs courtyard was swarming with political humanity. Phil Crimmins, Martin Kelly and Sam Rainey held up one side of the wall and discussed ways and means with their friends and admirers from San Francisco. Sara Shortridge, the most majestic of them all, stalked to and fro with becoming dignity; George Knight circulated between the Assembly Chamber and the Supreme Court room; Guy Barham and Tom Williams discussed theaters and other social matters that seemed somewhat out of order; Collector John Lynch said at heart and correspondingly mournful of visage chatted in funeral tones with his friend Judge West State Librarian Jim Gillis divided his time between asking what was going on and keeping track of the telephone in his private room. Charles Spear, Eddie Conroy, Jack Tyrrel and others of the Colonel's staff acted as grand outside sentinels to the council chamber; while here, there and everywhere flitted busy newspaper men, each anxious to get the first intimation of what was going on.

The Colonel, to all outward appearance, was as unconcerned as ever when he left the room after conferring with his forces, for he had the customary big cigar between his lips and had lost none of the usual smile with which he greets his friends. Although the developments were, to say the least, unpleasant, he was the least worried of all those engaged in his fight, and went to his apartments in the Golden Eagle, where he received callers by the dozen until long after midnight.

Though it is scarcely likely that before today is over a definite understanding will be reached on the Bard matter, it does not seem possible that it will take more than half a dozen days to close up the entire fight. The end may come much sooner than is expected—on Tuesday or Wednesday, for instance, and then again, if the first place, there is the remote possibility that another deadlock may ensue and be continued indefinitely.

The Bard people, though, appear to be great believers in the old motto of "Make hay while the sun shines," so they will undoubtedly rush everything to a head at once and have the battle lost or won for their man by this time next week.

HATTON.

ROUTINE IN ASSEMBLY.

SACRAMENTO, Feb. 3.—The Assembly this morning granted leaves of absence to a number of members who had gone to their homes to stay over Sunday. The Committee on Ways and Means reported favorably upon Senate bill 10, making appropriation to pay the contingent expenses of the State Senate.

The Committee on Commerce and Navigation reported favorably on Assembly bill 2, authorizing the Treasurer to transfer to the San Francisco harbor improvement fund money now in the San Francisco depot sinking fund; Senate bill 5, amending section 2554 of the Political Code; Assembly bill 6, amending section 2527 of the Political Code.

The Committee on Mines and Mining reported favorably on Assembly bill 12, repealing the mining law of 1897.

A resolution was introduced by Beecher authorizing the Sergeant-at-Arms of the Assembly, or the bookkeeper of the Sergeant-at-Arms to receipt to the Comptroller for all warrants for payments to members, officers and attaches of the Assembly.

Senate bill No. 10, appropriating money for contingent expenses, was declared a matter of urgency, the bill was read, and the measure passed.

Assemblyman Hoey introduced a resolution expressing sympathy for the Trans-Pacific Republic and Orange Free State in their struggle for liberty.

Recess was taken until 2 o'clock.

OAKLAND RACES.

EMERYVILLE TRACK, Feb. 3.—The first race today resulted as follows: Floridan first, at 15 to 1. Rachel C. second, at 4 1/2 to 1. Saul of Tarsus third, at 3 to 5.

SECOND RACE.

High first, at 13 to 5. Toribio second, at 3 to 1. Rito Chico third, at 15 to 1. Time, 1:27.

MRS. ANNIE SPIARS DENIES THE CHARGES.

Mrs. Annie Spiars, widow of the late proprietor of the Philadelphia restaurant, denies that she stole Mrs. Charlotte Lane's husband and tells the court she has not damaged the lady in the sum of \$25,000.

PIERCE FIGHT OF A GIRL.

Miss Olive White Has Desperate Battle With a Robber.

Miss Olive White, a plucky East Oakland girl, has all but succeeded in doing what Oakland's entire police force has signally failed to do; that is, capture a bold burglar.

Last night the residence of Mrs. Charles E. White of 323 Twenty-sixth avenue, was entered by two burglars. Miss Olive White, who was sleeping in an upper room, was awakened by footsteps in the apartment. Her movements in awakening aroused the suspicions of the burglar, who approached the bed.

Her regular breathing, however, deceived him, and, returning to the dresser, he thoroughly ransacked it. Failing to find anything of value he returned to the bedside and softly slipped his hand under the pillow. Belling again he knelt by the bedside and began feeling under the bed in search of valuables.

This was too much for Miss White, who hitherto had laid perfectly still. With a spring she caught the man around the neck and began to scream. The burglar, however, showed great nerve. Quick as a flash he grabbed her by the throat, forcing her back on to the bed and choosing her hair for the moment to escape. He awoke her mother, who was sleeping in an adjoining room.

The second man, who had remained quietly by the open window while his partner searched the room, came quickly to his assistance, and seizing a heavy bedspread wrapped it around the throat and head of the struggling girl, nearly suffocating her.

The burglars then sprang out of the window and escaped. Miss White, who seemed to have lost all fear, attempted to give an alarm, and partly feeling herself began to scream. Her mother came quickly to her assistance and finally succeeded in unwrapping the spread.

There is little clue to their identity, though in the struggle Miss White tore a piece of a red silk tie from the man's throat. In the darkness she could not get an accurate description of the man. She saw, however, that he wore a mask and a slouch hat.

Two men were seen prowling about the premises the evening before and to this fact their failure to secure any valuables is due. When he stopped on my way, Miss White said before retiring she had taken her watch and jewelry and placed them in her hat under the bed.

"The watch was a gift from my sister who died only a year ago," said Miss White when seen this morning, "and I could not bear to think of the burglar taking her mother's watch. When I saw I seemed to lose all fear and springing out of bed I tried to seize him by the throat. I thought I could hold him until my screams would arouse the family."

Miss White seems none the worse for her midnight encounter though her head is badly scratched from a pin that was in the man's coat. She is badly frightened for as the man whom she had seized leaped out of the window he cursed her and told her she would be sorry for what she had done.

SACRAMENTO, Feb. 3.—Before the San Francisco papers arrived here this morning announcing Burns' withdrawal from the caucus, the Assembly was in session. In their statements that under no circumstances would they give up the struggle, the withdrawal was as much a blow to the Burns men as it was to the caucus. The Assemblyman, however, admitted that the caucus had had it was through the papers.

Grove L. Johnson and Judge Dibble made the following statement to a representative of the Associated Press regarding their action of last evening: "There is a rule that a caucus can be organized only when it has been assembled by the members of the majority necessary to elect a joint convention of the two houses. In this case it therefore required that sixty-one members be present at the caucus. The majority necessary to elect a joint convention of the two houses is the difference between a caucus and a caucus without such a quorum present is the difference between a caucus and a caucus without such a quorum present."

Many of those who have been supporting Colonel D. M. Burns insist that under no consideration will they vote for Mr. Bard. Mr. Bard's supporters are confident, however, that he will be elected next Tuesday.

Assembly bill 13, appropriating \$23,000 to pay the per diem and mileage of Assembly members who have been called to the body yesterday, was referred to the Judiciary Committee.

Assembly bill 14, 15, 16, appropriating money to pay legislative expenses, were referred to the Judiciary Committee.

Senator Jones offered a joint resolution repealing the proposed reciprocity treaty with the island of Jamaica. The resolution set forth that the Legislature "deprecates the attempt to disturb the present existing condition of the tariff upon sugar, citrus fruits and fresh vegetables, that it is an unequal and unjust hardship to saddle the interests of a few for the benefit of a large majority."

The State's Senators were instructed to vote against the ratification of the treaty and the Representatives are requested to use their best efforts to bring about its end.

The resolution was adopted by a unanimous vote.

Senator Laird offered a resolution that each member of the Senate be allowed \$25 for contingent expenses. The resolution was referred to the Committee on Attachments, Contingent Expenses and Alliance.

Senator Gillette for the Judiciary Committee reported on Assembly bill 13, relating to certain powers of the State Harbor Commissioners, recommending that it do pass as amended in committee. The bill strikes out section 2 of the original bill.

The printers do not propose to suffer another such experience and have presented their ultimatum to the Legislature.

W. C. Morrow's Lecture.

Those interested in Mr. W. C. Morrow's plan of instruction in writing for publication are invited to meet Mr. Morrow at Fraternal Hall, Monday evening, February 5th, at 8 P. M. Mr. Morrow will then deliver an address on the subject.

Socialist Sunday Meeting.

A lecture will be given at Grand Army Hall on Sunday evening by Cameron King of San Francisco. His subject will be "The Pathology of Poverty." After the lecture a discussion will be invited.

Associated Press Dispatches by The Tribune's Special Leased Wire.

SACRAMENTO, Feb. 3.—Three labor unions represented at the State Printing Office this afternoon notified State Printer Johnston that they would do no more legislative work until they were assured they would be paid for it. During the Budd administration the printing office did much legislative work, but Governor Gage at the last legislative session, although appropriations had been passed by both Houses for work performed, vetoed the clause.

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SACRAMENTO, Feb. 3.—In the Senate

BODY FOUND IN PARK IS IDENTIFIED.

John Penalt of Oakland Mixed Up in the Case. Singular Story Told by the Young Man in the Case.

The body of the young woman who was found dead with a bullet hole through her head in Golden Gate Park yesterday afternoon has been identified as that of Amy Murphy, a pretty telephone girl who lived with her parents at 622 Laguna street, San Francisco, and the police are investigating John Penalt, an Oakland man, to ascertain what he knows of the affair. The identification was made this morning by the girl's mother, and it was from her that the police learned of Penalt's friendship for the daughter.

While Penalt admits that he was very friendly with Miss Murphy, he disclaims all knowledge of her death. He was seen today at Sherman & Clay's music store, where he is employed, and reluctantly told of his acquaintance with the young woman. He was very nervous, acting like a man who was trying to conceal something.

"I knew Miss Murphy very well," said he, after being urged to give a statement. "but I was not engaged to her. I met her first about a year ago, and I have called at her home frequently on Sunday afternoons since. I always considered her a very nice girl, and whenever she was with me she acted like a perfect lady."

"I saw her last on a Sunday afternoon either two or three weeks ago, when I called at her house. I did not hear from her again till several days ago, when I received a letter from her asking me to call on her in the city yesterday afternoon I was in San Francisco, and I rang up her house on the telephone. Her mother answered the phone and said that Amy was not there, but that the family desired to see me."

"I therefore went out to the house last night and they told me that Amy had not been home for two or three days. They seemed rather worried about her, and said that if she did not return last evening they would not wait for her all the time. The family could not answer that much better than I could. As I have said, I considered her a good girl of a good family."

When asked if she was wayward, he answered that she was "not particularly so, and when asked if she was in the habit of going out with young men and drinking, he hesitated and then answered evasively that if she did it would not prove that she was wayward or anything of the kind."

At the girl's feet, when she was found in the park, was a box of cartridges, but no pistol could be found. Penalt admitted that he had seen a revolver in the trunk of the car which he was driving when he went out of the city for his firm, but said that he never carried it when at home. The man who found Miss Murphy's body, six feet tall, 35 years of age, neatly dressed and wearing a slight mustache, Penalt, while he answers the description as to size, looks and manner, does not seem to be a young man, he says he never wore a mustache.

DEAD GIRL IDENTIFIED.

Associated Press Dispatches by The Tribune's Special Leased Wire.

SAN FRANCISCO, Feb. 3.—The body of the young girl found dead in Golden Gate park yesterday afternoon has been identified as that of Amy Murphy, formerly an employee of the telephone company.

The identification was made by the girl's mother, who said that her daughter has been missing for two nights. No other particulars regarding this mysterious case have been made public by the police, and the mother seems as much in the dark as the officers of the law.

As the hours pass by the mystery of the death of Amy Murphy grows deeper. Every nook and cranny for many yards around the spot where the body was found has been searched over, but no trace of the pistol with which the girl killed herself or with which she was murdered has been found. The only tangible ground for the supposition that a murder has been done is the absence of the pistol; everything else points to suicide, though her mother knows of no reason why her daughter should have made away with herself. Her home was a happy one to all appearances, and though it is true that she has had several love affairs, the members of her family do not seem to think that she had anything to do with her death, or at least with her having committed suicide.

Another peculiar feature of the case came to light this afternoon. In making a more minute examination of the head of the dead girl what appears to be a second wound was discovered, but whether it is an abrasion caused by the fall of her body or from a weapon of some kind has not been determined.

FRANKFORT, Ky., Feb. 3.—The authorities in Louisville telephoned County Judge Moore today asking if James Lester Sutton, who was arrested and taken to Louisville last night on a charge of having shot Governor Goebel, should be held. Judge Moore replied to hold Sutton for the present.

Associated Press Dispatches by The Tribune's Special Leased Wire.

WASHINGTON, Feb. 3.—That the military authorities have no idea of using Federal troops in Kentucky in the near future is clearly indicated by the action taken by Major General Merritt, commanding the Department of the East, with the concurrence and approval of the War Department, in arranging for an appropriate military display on the occasion of the funeral of Major-General Lawton in this city next Friday.

KNIGHT MAY BE ELECTED.

Bard's Election Is Not Certain--There May Be a New Deal.

CAPITOL, SACRAMENTO, Feb. 3.—The Bard people are wondering exactly how they stand. Col. Burns' card of withdrawal seemed to clear the way for them, but they find themselves confronted with a proposition that if the Burns vote should be withheld they could not possibly elect their man.

Rumors are flying about that the Burns' vote will be cast for Knight, but all statements that an agreement to this effect have been reached are absolutely untrue. Exactly what has been done by the Burns forces is as follows:

Each man has pledged himself not to make a promise or tie up with any one until after Monday night. At that time a conference will be held deciding exactly what course will be pursued.

Bard's people figure that in view of Burns' withdrawal they will be able to gather in some of his men, and they are therefore hard at work upon those they consider within reach.

They are making no headway, though, for Burns' men are standing absolutely pat on the agreement to keep everything in statu quo until Monday. Although everything is extremely promising for Bard, it is by no means a sure thing that he will be elected.

There is more at stake in this fight than the election of the present Senator, for the Perkins contest is involved in it. It is well known that there is a desire to see a Senator at this end of the State now, so as to throw it south two years from now.

But for this there would probably be no opposition to Bard, but under the conditions a fight against him seems certain. The Legislature is figuring on adjourning next Saturday, and work is being rushed on that basis.

Colonel Burns will remain in Sacramento until a Senator is elected.

HATTON.

LAWYER STOLE THE BALLOTS.

Arrested on Highway and the Tickets Recovered.

TRENTON, Neb., Feb. 3.—When PENALT was arrested on a highway and the tickets recovered.

OUR HAIR HAS FALLEN DOWN.

And will not be up again until Wednesday, Feb. 7th.

We have just received a large shipment of Hair from the East and have decided to surpass all previous cuts in Hair switches, for Two Days Only Monday and Tuesday, Feb. 5th and 6th, we will sell nice little switches all long hair and short stems, for 50c in all ordinary shades. Grey switches, long hair and short stems, \$1.25. We have other ones, longer and better and they will all be sold for these two days at less than cost.

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The Oakland Tribune will be found on sale in San Francisco every evening at the following news stands: Foster & O'Connell, Ferry Building; Palace Hotel news stand; Grand Hotel news stand; Cooper's, 746 Market street; Hornblower's, Eddy street, between Powell and Mason.

AMUSEMENTS.
Macdonough—"Too Much Johnson."
Dewey—"Uncle Bob."
Columbia—"The Winter's Tale."
California—"The Parrot Club."
Grand Opera House—"The Gracioso."
Tivoli—"The Idol's Eye."
Orpheum—"Vaudeville."
Alhambra—"The Gracioso."
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SATURDAY, FEBRUARY 3, 1900.
The fact that consumption is making great ravages in China is probably due to the cold draughts that are blowing in through the half open door.

The czar of Russia declares that the world is drifting toward an era of universal peace. It is noticeable, however, that his majesty does not remove his hand from the gun in his hip pocket.

The fact that hemp is becoming a scarce article of commerce on account of the snow should be advanced as a reason for pleading for a reprieve in the cases of those who stand in the shadow of the law.

Boston millionaire states that he got a start in life extracting oysters from their shells. That is nothing much to brag about. He had a chance at an opening and got on the inside—two of the greatest essentials to success.

Russell Sage is interested in a project to derive power from garbage. He probably got his idea from the powerful odor which permeates the neighborhood in which garbage is gathered. The odor alone is sufficient to make any human being run, and if properly trained it might have the same effect on machinery.

Brian H. Roberts now threatens to sue for \$200 salary as congressman, declaring that he will carry his case to the highest court in the land if necessary. Judging by the testimony adduced before the Congressional Committee, Roberts had better keep as far away from the courts as possible or he may land in the lock-up.

CALIFORNIA STANDS NEUTRAL.
Whatever may be the feeling in other parts of the country, it is plain that California does not propose to go on record as endorsing the Boers and deprecating the British in the South African war. Governor Gage declared a short time ago to be present at a pro-Boer meeting in San Francisco, and now the Legislature is sitting down very hard upon the efforts to commit the State on the issue.

The resolution in behalf of the Boers that was introduced in the Senate has been conveniently buried, while a similar proposition when placed before the House was received with such groans and hoots that it was hurriedly withdrawn.

This is eminently proper. We have no quarrel with Great Britain, nor have we any interests in South Africa that would be added by the success of the Boers—on the contrary, the conditions there are reversed as far as we are concerned. Looking at the proposition from a general standpoint it may be said that the United States has no commission on high to police the earth nor to act as the referee of the universe. In our war with Spain we had a moral justification for our actions, for Cuba was at our very doors, and a revolution had been waging there for many years to the great detriment of our commercial interests. Even then all we did was to offer our services as mediator, and our efforts might have ended there but for the blowing up of the Maine in Havana harbor. That was the match that kindled the fire, and the subsequent conduct of the Spanish government was such that it was plain that though it might not have prompted the atrocious crime, it was not sorry that it occurred.

France rushed to the aid of the American revolutionists in their struggle against England, but that was not due to excessive zeal in the interests of humanity. It was because of a desire to wipe out the old scores that had been festering deep in the heart of the French nation, and seeing that England had its hands full both with the revolution in America and its quarrels with other European powers, France decided to jump in. As a nation, though, the United States has nothing to do with quarrels outside of its own border. Under the law of nations we would not be justified in raising a finger one way or the other in the present strife, and as far as sentiment is concerned it does not look well for the prospects of the much-talked-of Anglo-American alliance that there is a disposition to oppose the Boer part of the dispute simply because England is on the other end of it. We should keep hands off and tongues off, too, and the State Legislature has done the right thing in refusing to commit the people of California on the issue.

REMEDY THE INJUSTICE.
There is one bill pending in Congress that ought to be made a law, and that is the bill to amend the act of 1894, entitled "An act to enable manufacturers using alcohol in the arts to recover the money due them as rebate. For a clear comprehension of the merits of the bill a brief statement of the act of Congress under which the alcohol rebate tax is claimed is necessary. Section 61 of the Wilson tariff act of 1894 reads as follows:

"Any manufacturer finding it necessary to use alcohol in the arts, or in any medicinal or other like compound, may use the same under regulations to be prescribed by the Secretary of the Treasury, and on satisfying the Collector of Internal Revenue for the district wherein he resides or carries on his business that he has complied with such regulations and has used such alcohol therein, and exhibiting and delivering up the stamps which show that a tax has been paid thereon shall be entitled to receive from the Treasury of the United States a rebate or repayment of said tax so paid."

So far so good. Where the trouble originated was in the refusal of Secretary of the Treasury Carlisle to prescribe the regulations under which the users of alcohol might take advantage of the law. He declared that he could make no regulations because Congress had appropriated no money to enforce them. A manufacturer named Dunlap made a test case of the law, and when it came before the Supreme Court that tribunal held that the failure of the Secretary to prescribe regulations destroyed the right of the manufacturer to receive or collect the rebate under the section quoted. The decision was by a bare majority, four justices dissenting.

It is surely a plain proposition that as Congress has the power to lay and collect taxes, which is given it by the constitution, it also has the power to remit them. Up to the time of the report of the section in June, 1896, about \$6,000,000 was paid into the Treasury, subject to the rebate provision. The manufacturers affected by the decision are honorable men, engaged in a legitimate business, and it is a gross outrage that after having entered into contracts on the expectation that they are to pay only such taxes as the laws of Congress prescribe, they should have to bring suit to compel the Treasury to obey the law, and then have the Supreme Court decree that the law is null and void because forsooth the official charged with its enforcement refuses to carry out its plain provisions. The Russell bill aims to remedy this injustice by declaring that the failure of the Secretary to prescribe regulations shall not operate as a defense to suits brought against the United States to recover the amount of the rebate. The Russell bill should, and undoubtedly will, receive the support of the California delegation in Congress.

An up-country renegade from justice who skipped out with several serious charges pending against him and leaving his bondsmen in the lurch, recently returned from Dawson with gold galore. Having settled with everybody, he is now spoken of as one of the leading citizens of the community. This shows that gold playing has completely supplanted the whitewash brush in covering the defects of reputation.

A sure indication that the Democrats are not very hopeful of controlling the next administration is the fuss they are making over the surplus in the federal treasury. It would be a case of pie for them if they could only get their hands upon it and they would be doing the very opposite of kicking if they thought they had a chance.

A Tennessee swain who the other day shot and killed a young girl who refused to marry him was promptly lynched. This method of courtship if generally adopted would meet the approval of the undertakers and at the same time greatly reduce the labors of the divorce tribunals.

The Emperor of Abyssinia is considering the feasibility of establishing a Senate. He has probably been reading in the papers the testimony in the case of Carter of Montana and has come to the conclusion that Senatorial contests form the most certain method possible of getting lots of money into circulation.

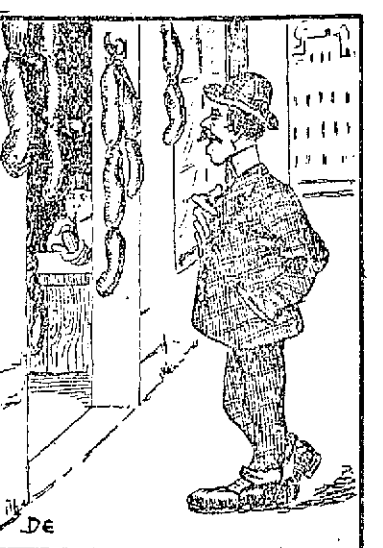
Court Notes.
A statement on appeal has been filed by the defendants in the action of Thomas A. Fitch against W. H. Hartley, as co-defendant in the action of Conway vs. Conway. An answer has been filed in the action of Fitch A. Fitch against F. A. Brown and others.

Falling Hair
Does this illustrate your experience? And are you worried for fear you are soon to be bald? Then cease worrying for help is at hand. You need something that will put new life into the hair bulbs.

Ayer's Hair Vigor
It brings health to the hair, and the falling ceases. It always restores color to gray hair. You need not look at thirty as if you were fifty, for your gray hair may have aged all the rich color of youth. And there is no remedy equal to it for curing dandruff.
\$1.00 a bottle. All druggists.
"I am a barber by trade and have had a great deal to do with your hair. I have found that it will do everything that you claim for it. It has given me the most complete satisfaction in my business." Henry J. Gorton, Kansas City, Mo., March 22, 1899.
Write the Doctor.
If you do not obtain all the benefits you expect from the use of the Vigor, write the Doctor.
Dr. J. C. Ayer, Lowell, Mass.

Snapshots Taken on Broadway

"Sausages are a good thing when they are cooked right," said Deputy Coroner Henry Quelling. "I'm a great sausage eater. Sometimes I make a tour of the city in order to secure the best sausages in the market. My boss, Albert Brown, is just beginning to enjoy life. I am teaching him how to eat sausages to enjoy them."



Deputy Coroner Henry Quelling in Search of the Best Sausage in This City.

"In order to get real good sausages," continued Mr. Quelling, "you have to see them made. There is a man named August, at J. J. White's, who knows how to make the Dutch delicacy. You have to be particular about the kind of dog used."



Deputy Coroner Henry Quelling at White's Regarding the Kind of Dog to Use.

"Mr. Brown will be delighted with the latest sausages I have had prepared for him," said Deputy Coroner Quelling. "I think they will help his rheumatism."



Albert Brown Seizes the Sausage Prepared for Him by Deputy Coroner Henry Quelling

Town Talk.
The feature of TOWN TALK this week is Louis Robertson's poem, "The Larger Light," which was written in answer to Markham's "Man With the Hoe" for the poem offered through the New York Sun. John Vance Cheney won the prize and Cheney's poem is printed in today's TOWN TALK side by side with that of Robertson. Some interesting paragraphs are given by the San Francisco agent of the engagement of Miss Beatrice Tobin and Mr. Raoul Duval, also a little story about Miss Grace Shain and Ogden Hoffman. The editorial on "Journalistic Enemies of the Press" is a splendid defense of journalism written by one of the professions. The original story, made of miscellany, musical and dramatic departments, complete the week's entertainment.

Antique Belleek Chinaware Bargains.
It's Worth Your Coming Just to See.
Great American Importing Tea Co.
1652 WASHINGTON ST., Oakland
1231 BROADWAY, San Francisco
1510 SEVENTH ST., San Francisco
612 E. TWELFTH ST., San Francisco
1235 TWENTY-THIRD AVE., Alameda
1235 PARK ST., Alameda



Sketched at the swell party given at the home of Mrs. F. M. Smith at Arbor Villa last evening. Observe the graceful pose of an Oakland society young woman.

When the Undertakers Try to Be Very Funny.

An Alvarado Man.
His love she could set aside, And dashed was Cupid's plan; Its quality was not his pride, But he was not the man.

The Parrot Club.
George De Colla—"That's an imposing looking woman over in the corner." Cary Howard—"Yes; she's the president of a parrot club."

By Oscar Rogers.
"He claimed that coffee hurts the brain; This shaver let us check. 'Tis quinquina with his coffee that makes man a mental wreck."

By N. W. Leitch.
"Will you walk up to my kiosk?" "I'll walk up to your kiosk." "And the grass is soft as wool." "It rises over the country." And gives a bird's-eye view Of my lines of crooked trenches, And I'll take you in there, too. "At the top of Spain kiosk." "You can tell and daily tell." All the farmers in the trenches On the road to Lady Smith. "If you'll walk up to my kiosk." "You can tell and daily tell." And I'll tell you, too, sir, how I have several kiosk's more."

By Albert Brown.
He had tried and failed, as you under-

By James Taylor.
Oh, rag-time rag-time he had on, He sung a rag-time tune. And over his shoulder, dim and wan, There glared a rag-time moon.

By Henry Evers.
When life's someone man comes to read, He finds grave errors—said indeed! And there and there, beyond all doubt, Whole chapters of the tale left out.

By James M'Manus.
An old bachelor says some men are under the impression that it takes trouble to perfect character, so they get married.

By Joseph M'Avoy.
Every man owes something to himself, but it is what he owes to other men that causes all the trouble.

By James M'Carthy.
A bowl of cream is a cat's idea of the lap of luxury.

By Col. Delehanty.
Men and women agree offener in love than in money matters.

German Emperor and His Dramatic Laurels.

The German Emperor's dramatic laurels appear to be in somewhat serious danger. He is threatened with a formidable imperial rival in the Russian Grand Duke Constantine, who has not only prepared a translation of "Hamlet," but proposes shortly to produce his version of the tragedy in the Hermitage palace at St. Petersburg, before the czar and czarina and their court, and to appear himself in the character of the Prince of Denmark. Meanwhile he is giving a series of semi-public rehearsals, and his acting as the Duke of Wesminster would have been a melancholy Dana is the subject of much commination. It is hardly likely that the Emperor William, who has hitherto confined his histrionic abilities to the instruction of professional actors in their business—for the example, by the way, of Hamlet himself—will sit down under this challenge, and some interesting developments at Berlin or Potsdam may be expected. No one would be surprised if the production of an original blank verse tragedy, with himself in the leading role, proved to be the Kaiser's idea of going one better than his Russian rival.

Some Points About the Chinese Theater.

The Chinese are remarkably fond of the drama, and consequently every village has its stage. In this way the people are educated in the past history of their nation. The stage arrangements are about on a par with those which existed in England at the time of Shakespeare. There is no scenery, and, consequently, the success of a piece depends entirely on the acting, which is remarkably good. Actresses do not exist in China, for since some centuries ago, an emperor married an actress they have not been allowed. Women's parts are taken by boys, who excel in their imitation of women's voices, gait and general deportment. Perhaps it is their theatrical representations which render Chinamen so content with rural life. At any rate, instead of crowding into towns from the country, they are happy to work on the land, which supplies them with all that is needed for food and clothing. There are no native factories, industries being still in the cottage stage, and agriculture employs more people than any sort of trade.

The Talk About People of Title.

The king and queen of Roumania have left Bucharest to spend two or three months at Abazia, on the Austrian Riviera, since the crown prince and crown princess have returned home from their visit to the duke and duchess of Coburg at Coburg. King Charles cannot leave Roumania while the crown prince is out of the country. Lord Roberts' marked aversion to cats is a by no means singular peculiarity. This distinguished British general shares it with many other noted men, and it is evident that the harmless, necessary cat has been able all through the ages to inspire the same horror in certain people. Lord Roberts would infinitely rather be in the thick of battle than sit in a room with the "feline feline." The Duchess of Westminster is going to stay on at Baton for the present, as the young duke is not coming back from the Cape for some time, and wishes her to remain just as she was before his father died. She is tired and worn out, and overwhelmed with business and letters, which have poured in on her from all parts of the world and from nearly every institution and public body in Great Britain. A month ago there were three pairs of brothers sitting as peers in the House of Lords. Lord Grosvenor, the Duke of Westminster and Lord Salisbury, the Duke of Buccleuch and Lord Montagu of Salisbury, and the Guinnesses, Lords Ardara and Iveagh. The Duke of Westminster's death broke up one of these pairs; but the simultaneous ruin to the peerage of Sir Stafford Northcote, brother of the Earl of Idlesleigh, keeps up the number of peer brothers. The Duke and Duchess of Connaught have abandoned their projected trip to the south of Europe in consequence of the Duke's appointment to the Dublin command. Queen Victoria would have preferred the Duke to return to Aldershot for a time as he could have worked that district from Basingstoke, and the place was now being closed during the absence in Ireland. The Duke and Duchess will pay visits to the Queen at Osborne and to the Prince and Princess of Wales at Sandringham before going to Dublin. Recently Queen Isabella of Spain, accompanied by her daughter, the Infanta Eulalia, and a suite of a dozen or so, arrived at Pau, in the train de luxe. The greatest secrecy had been observed as to the hour of the Queen's arrival, and there was hardly any one at the station to meet her with the exception of Prince

Read This, Consumptives

"From the way my wife coughed for six months, I knew she had consumption. She showed it in her face, too, and her body wasted away to a mere skeleton. After she got down in bed the doctors couldn't do any good. I called in both Dr. T. A. Shannon and Dr. N. L. Hawson, each of whom is a first-class physician, but they had nothing that would reach the trouble in her lungs. My wife's father came to see her one day, when she got very low. He lives in Cedar Lake, Wis., while we live in Rice Lake, Wis. He said he knew what was needed, and made me get a bottle of Acker's English Remedy for Consumption. I went to Schmidt's, our local druggist, and got a bottle, and it helped her right away. She took eight soc. bottles, and they put her back on her feet and made her as sound and well as any woman in town. She has taken on flesh again, she doesn't cough, and if any one who doesn't know the facts was to be told she was so near death with consumption, he wouldn't believe it. My wife does all her housework, and at night sleeps as soundly as I please. Her cough no longer gives her any trouble at all. Maybe you doubt what I am telling. If so, I advise you to see J. N. Schmidt, the druggist who sold me Acker's English Remedy for Consumption. He'll tell you the same thing. He says Acker's English Remedy is wonderful in all throat and lung troubles; that it is sold on a guarantee to cure, or money returned, and he never yet had a bottle come back to his store, although he has sold hundreds of them. My name is Luther Bedell, Rice Lake, Wis."

Acker's English Remedy is sold by all druggists under a positive guarantee that your money will be refunded in case of failure, and a bottle in case of cure. It is sold in all parts of the United States and Canada. In England it is sold by Messrs. J. N. Schmidt & Co., Ltd., 10, Abchurch Lane, London, E.C. 4. It is sold by Messrs. J. N. Schmidt & Co., Ltd., 10, Abchurch Lane, London, E.C. 4. It is sold by Messrs. J. N. Schmidt & Co., Ltd., 10, Abchurch Lane, London, E.C. 4.

OSGOOD BROS., Seventh and Broadway.
While driving along East Twelfth street by St. Louis, I saw a horse and buggy and dropped about sixty feet. The horse became frightened and at a passing electric car, jumping suddenly, threw the driver and passenger to the ground. In falling his clothing caught on a corner of the vehicle, and he was dragged until the animal was stopped by the electric car. The driver, however, was not badly injured, but he received a number of cuts and bruises.

There Is Only One
People's Express Co. in Oakland, at Ninth and Broadway. Branch offices are located in all parts of Alameda county, in San Francisco and in the principal cities throughout the State. A general express business transacted. First-class service.

Edison's Moving Pictures.
Freshly new shows, all the very latest productions, including the "Bombardment of Manila," "Charge of the Twentieth Kansas," "Rough Riders' Cavalry Charge," "The Lone Fishermen," and other up-to-date pictures, now to be seen at 57 Washington street, between Eighth and Ninth. Admission only 10 cents.

CASORIA.
The Kind You Have Always Bought
Bears the Signature of Dr. J. C. Ayer.

J. H. MACDONALD & CO.
162 Broadway, Cor. of Eleventh.

MACDONOUGH THEATRE (STOCK SPAN)
Macdonough Stock Company
TONIGHT and TOMORROW NIGHT
TOO MUCH JOHNSON

Commencing Monday, February 5th
CHIMMIE FADDEN
Prices—15c, 25c, 35c, 50c, 60c
Phone, Main 87.

JEFFRIES - SHARKEY
CONTEST PICTURES
Showing every move of the 25-round battle which took place at Coney Island, Nov. 4, 1899, and the destruction of Wm. A. Brady, Thomas O'Rourke.

CLUB TEAMS MEET ON GOLF LINKS.
The second of the series of home and home contests between teams from the Oakland and San Francisco Golf Clubs began this afternoon at the links at Adams Point. Very little change was made in the personnel of the teams that played last Saturday, which was as follows: W. P. Johnson, R. Folger, R. S. Stratton, J. C. McKee, G. P. Gow, Harry Knowles, G. D. Greenwood and T. R. Hutchison. Smith and P. Bowles will be in today's team, and three of the weakest players will drop out to make way for them.

ENGAGEMENT OF MISS CAMPBELL ANNOUNCED.
The engagement is announced of Miss Mabel Campbell and Henry Fine, son of Dr. A. E. Campbell, of the University of California. Miss Campbell is the daughter of Mr. and Mrs. J. C. Campbell of West Oakland.

NARROW CAPE OF A CONTRACTOR.
Pat Hevlin, a sewer contractor, narrowly escaped death yesterday afternoon.

MACDONOUGH THEATRE
To-Night and To-Morrow Night—Matinee Today
TOO MUCH JOHNSON
Last Three Performances of Gillette's comedy
COMMENCING MONDAY, FEBRUARY 5th
CHIMMIE FADDEN
Ned Townsend's Pretty Story
Scenes on "The Bowery." Elaborate Production.
Prices—15c, 25c, 35c, 50c. Matinee 25c.
Phone Main 87.

For particulars apply to GEORGE RAMAGE, in charge of the place.

PREFERRED THE STAGE TO RELIGION—STORY OF AN OAKLAND BOY

companies. Then a man or woman played a line of characters, and nothing was said. Now a man may do "juvenile" in play and "heavy" in another. It is just that you can do now. If one can do something and you can't, then a man can do something and you can't do it left. If there is something you can't do here, and there is something over at the Alcazar which I can do, will be sent over there.

"You know, I don't work do I like most. I think I like to work. I like to work to ease in some roles of that kind. After leave here, I am going East. I will be a better chance. I had a chance to go to road with about a dozen companies, but I don't want to go. I will stay, and you have to support a sister and

Written for THE TRIBUNE by JOHN W. METCALF

it by Mr. Edgar Sullivan Kelley, who is so well known to the musical public here.

On last Wednesday evening Mr. E. J. Crandall, with two other pupils, Miss Lillian Daniels and Miss Florence Sharr, assisted by Miss Eda Graves, pianist, and a violinist, gave a musicale at the Lyceum hall, which was very successful.

The members of the Trio Club gave a forenoon of music at the home of Mrs. H. Benjamin on Madison street on Wednesday morning last. There was quite a large attendance, and the program was, in their own words, "very successful."

The program was given as follows:

Trio (Beethoven), Mrs. E. J. Crandall, contralto, male soprano, Miss Esther May, Miss Eda Heine, Mr. von der Mehden and Mr. Schumann, Op. 69, "Mit einem Liedchen"; scherzo Liebhaft dich zu suchen, Miss Bertha Drehm, Miss Heine, Mr. von der Mehden; baritone solo, "Wehe dem, der nicht liebt," scherzo, "Sonne" (Handel), Mr. A. Horatio Calkins, tenor; trio (Anton Dvorak, Op. 21), adagio, mezzo, allegro molto, Miss Helen Hays, soprano, Mr. von der Mehden, baritone solo, "Recessional" (words by Kipling, De Koven), Mr. A. Horatio Calkins, tenor; trio, F. Mendelssohn, Op. 69, "The Echo Song," soprano, Mr. von der Mehden, baritone solo, Mr. von der Mehden; Miss Eda Heine, violin; Miss Lillian Daniels, violoncello; director, Miss Flora Kessell, accompanist.

Written for THE TRIBUNE by REV. BARTON W. PERRY of San Leandro, Private Secretary to Congressman Victor H. Metcalf

Senators. Without his help the bill might have slept in the Senate for some weeks. The next day after the bill passed the Senate, Mr. Metcalf was called to the fore in the House that had this matter in charge, and Mr. Metcalf is the ranking member, saw the Speaker and got him to call the bill. The more immediate action taken. To Mr. Metcalf had been assigned the duty of looking up the history of the construction of docks by the Government, and the report he prepared was the answer and all questions were answered. He proposed, Mr. Metcalf went to the House early on Saturday morning and asked the Democratic leader, Mr. Richardson, and the Democratic majority of immediate action. He saw several others on the Democratic side and asked them not to oppose the bill, but to let it pass. The bill was passed by a consent which it must have in order to be considered. As your readers know, the bill was passed without opposition and without any speeches being made, only a few questions being asked.

In speaking of this matter Mr. Foster

By HENRY A NEWBERRY of THE TRIBUNE Editorial Staff.

which there is an element of danger, has many enemies. They are loud in their denunciation against what they call the brutality of the game, and it is unwise to put a club in their hands by furnishing them with the argument for the suppression of college football, that in addition to its inevitable roughness it is on a purely commercial basis and deserves no consideration as a manly sport.

Consider the taint of professionalism

the Times, that bulwark of conservatism, declares the chatter in the paper admits he lacks tact and that his speeches have done much to alienate the opposition.

wishes everything to go on as usual, as far as possible. She has ordered two drawing rooms to be held before Easter and others in May. Her Majesty's decision is gratefully welcomed by the London tradesmen.

LITTLE PEOPLE

As well as big persons, buy from us, and we charge large and small prices, according to quality, size, etc. You can rest assured no store hereabouts under-stands us anything we carry in stock. We have hats, trunks, case fixtures, cage ware, heaters and everything carried in a first-class store of its kind. Stup ladders, refrigerators, cutlery. We invite inspection of our large and varied stock to all who please. We have a splendid assortment of garden hose—that is something. You need sooner or later. See me at 511.

